

REMARKS

Claims 1-19 are presently pending. Independent Claims 1, 10, and 16 have been amended by this response.

In the Office Action, the Examiner rejected Claims 10 and 12 under 35 U.S.C. 102(e) as being anticipated by Miracky; rejected claims 1-9 and 16-19 (although claim 19 was not listed in the rejection on page 4 of the office action, Applicant assumes that claim 19 is rejected) under 35 U.S.C. § 103(a) as being unpatentable over Sandler in view of Grinberg; rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over Miracky in view of Grinberg; and rejected claims 13-15 under 35 U.S.C. 103(a) as being unpatentable over Miracky.

Rejection of Claim 10 and 12 Under 35 U.S.C. 102

In the rejection of Claim 10 under 35 U.S.C. 102, the Examiner stated that Miracky discloses "an optical beam steering system for steering an optical beam, comprising a small angle beam steerer (MEMS-400; see section 85-89) for receiving a collimated laser beam and redirecting said collimated laser beam through a small angular deviation."

However, it is important to appreciate that the laser beam steering unit 400 of the Miracky system is part of a transmitter rather than a receiver. Operation of the laser beam steering unit 400 of the Miracky system as part of a transmitter is clear from the language of paragraphs 84 and 85 (which state that "VMLA laser beam steering unit 400 may comprise OEM transmitter 325"; "to provide laser beam collimating and laser beam steering in a transmission direction 435"; and that the laser array is for a "transmitting

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module"). Operation of the laser beam steering unit 400 of the Miracky system as part of a transmitter is also clear from Fig.7, which shows laser beam steering in a "transmission direction 435".

By way of contrast, Claim 10 of the subject application has been amended to recite that "the small angle beam steerer cooperates with the optics system and the detectors to at least partially define a receiver." Support for the use of the small angle beam steerer, the optics system and the detectors of Claim 10 as a receiver is provided in paragraph 19 of the subject patent application, which states "the optical beam steering system 10 operates as a receiver."

Moreover, it is respectfully submitted that none of the cited prior art, taken either alone or in combination with one another, either discloses or makes obvious "wherein the small angle beam steerer cooperates with the optics system and the detectors to at least partially define a receiver," as recited in amended independent claim 10. Again, the small angle beam steerer of Miracky is part of a transmitter, not part of a receiver.

Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. § 120(e) of claims 10 and 12 be withdrawn. Claims 11 and 13-15 depend from claim 10 and are thus likewise believed to be allowable.

Rejection of Claims 1-9 and 16-19 Under 35 U.S.C. 103(a)

In the rejection of Claims 1-9 and 16-19 under 35 U.S.C. 103(a), the Examiner stated that Sandler discloses "an optics system (102) having a focal plane and an optical axis."

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However, it is important to appreciate that the optics system disclosed by Sandler is made up of "an array of communications lenslets 110" and "an array of alignment lenslets 112" (paragraph 26). Light from these lenslets is directed to beam directing portion 200. Thus, a plurality of separate lenses is used to direct light from the optical fibers 104 to the beam direction portion 200.

By way of contrast, claims 1 and 16 both substantially recite the use of a single lens or lens assembly that is configured to receive light from each of the source elements and to provide the light to the beam steerer. Support for the use of a single lens or lens assembly to receive light from each of the source elements and to provide light to the beams steerer is clear from Figure 1 that appears to show a single lens as the optics system 12 and from paragraph 14 that discloses the use of an optics system 12 that comprises a wide angle lens.

Moreover, it is respectfully submitted that none of the cited prior art, taken either alone or in combination with one another, either discloses or makes obvious "wherein the lens is configured to receive light from each of the source elements and to provide the light to the beam steerer," as substantially recited in amended independent claims 1 and 16. Sandler does not have a single lens that receives light from each of the source elements (optical fibers) thereof. Rather, Sandler has a separate lens for each optical fiber.

Therefore, Applicant respectfully requests that the rejection under 35 U.S.C § 103(a) of claims 1 and 16 be withdrawn. Claims 2-9 and 17-19 depend from claims 1 and 16, respectively, and are thus likewise believed to be allowable.

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Applicant respectfully submits that the dependant claims are independently patentable with respect to the independent claims. For example, Claims 4 and 14 recite "wherein said optics system comprises a wide angle lens." Indeed, the use of a single wide angle lens is contrary to the fundamental concept of Sandler (which the Examiner used to reject Claim 4, as disclosing an optics system), since Sandler discloses the use of an array of lenses, as discussed above.

CONCLUSION

In view of this amendment, it is respectfully submitted that all of the pending claims are in condition for immediate allowance. Reconsideration, withdrawal of the rejections and a timely Notice of Allowance are therefore respectfully requested.

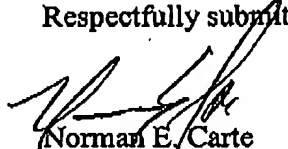
If the Examiner has any questions or concerns, a telephone call to the undersigned at (949) 752-7040 is welcomed and encouraged.

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Respectfully submitted,


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